



OFGS File No. P/2850-79

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Takeshi OOTSUKA et al.

Date: February 13, 2006

Serial No.: 10/613,574

Group Art Unit: 1763

Filed: July 3, 2003

Examiner: Sylvia MACARTHUR

For: ELECTRODE-BUILT-IN SUSCEPTOR AND A MANUFACTURING  
METHOD THEREFOR

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Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

TERMINAL DISCLAIMER TO OBVIATE DOUBLE PATENTING  
REJECTION (37 CFR §1.321(b))

Sir:

Interest of Person Making This Disclaimer

I, Max Moskowitz, of Ostrolenk, Faber, Gerb & Soffen, LLP, with offices at 1180 Avenue of the Americas, New York, New York 10036-8403, represent that I am a representative authorized to sign on behalf of the applicant identified below who owns all of the interest in this application.

**The required fee (\$130.00-large entity) is authorized to be charged to Deposit  
Account No. 15-0700.**

Identity and Title of Disclaimant

The assignee is:

Name of assignee Sumitomo Osaka Cement Co., Ltd.  
Address of assignee 6-28, Rokuban-cho  
Chiyoda-ku  
Tokyo, Japan

Title of disclaimant authorized to sign on behalf of assignee:

The assignment for U.S. Serial No. 10/613,574 was recorded on December 4, 2003 at Reel 014761, Frame 0360. Said document has been reviewed and, to the best of the assignee's knowledge and belief, title is in the assignee.

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Disclaimer

Max Moskowitz hereby disclaims the terminal part of any patent granted on the above-identified present application which would expire beyond the expiration date of the full statutory term of U.S. Patent No. 6,872,908 and

agrees that any patent so granted on the above-identified present application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to U.S. Patent No. 6,872,908, this agreement to run with any patent granted on the above-identified present application and to be binding upon the grantee, its successors or assigns; and

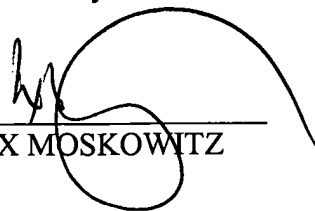
does not disclaim any terminal part of any patent granted on said above-identified present application that would extend to the full statutory term of U.S. Patent No. 6,872,908 in the event that said issued patent later expires for failure to pay maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. 1.321(a), has all claims cancelled by a reexamination certificate, or is otherwise terminated prior to the expiration of its statutory term, except for the separation of legal title stated above.

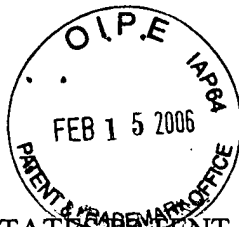
I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

In the event the actual fee is greater than the payment submitted or is inadvertently not enclosed or if any additional fee during the prosecution of this application is not paid, the Patent Office is authorized to charge the underpayment to Deposit Account No. 15-0700.

Respectfully submitted,

Date: February 13, 2006

  
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MAX MOSKOWITZ



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Disclaimer

Max Moskowitz hereby disclaims the terminal part of any patent granted on the above-identified present application which would expire beyond the expiration date of the full statutory term of U.S. Patent Publication No. 2004/0011287 and

agrees that any patent so granted on the above-identified present application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to U.S. Patent Publication No. 2004/0011287, this agreement to run with any patent granted on the above-identified present application and to be binding upon the grantee, its successors or assigns; and

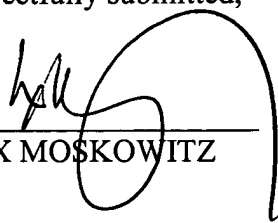
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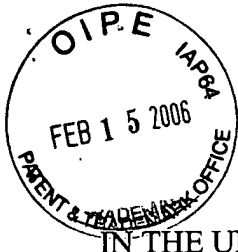
I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

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